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PHILIPS LUMILEDS LIGHTING COMPANY, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

## EPISTAR CORPORATION,

**Plaintiff.**

VS.

PHILIPS LUMILEDS LIGHTING  
COMPANY, LLC

**Defendant**

#### AND RELATED COUNTERCLAIMS

Case No. C 07-5194 CW

**ADMINISTRATIVE REQUEST TO FILE  
UNDER SEAL PURSUANT TO CIVIL L.R.  
79-5 PHILIPS LUMILEDS LIGHTING  
COMPANY'S REPLY IN SUPPORT OF  
ITS MOTION FOR STAY AND  
EXHIBIT G TO THE DECLARATION OF  
MICHAEL J. LYONS IN SUPPORT OF  
PHILIPS LUMILEDS LIGHTING  
COMPANY'S REPLY IN SUPPORT OF  
ITS MOTION FOR STAY**

MOTION UNDER SUBMISSION  
PURSUANT TO COURT ORDER DATED  
JANUARY 29, 2008

Pursuant to Civil L.R. 79-5 and the Protective Order entered by the administrative law judge in the ITC Investigation on December 8, 2005, Philips Lumileds Lighting Company, LLC (“Lumileds”) requests the following documents to be filed under seal:

1. Philips Lumileds Lighting Company, LLC’s Reply in Support of Its Motion for Stay contains pertinent excerpts from what the parties have referred to as the “Epistar/Lumileds Settlement Agreement,” specifically, the Settlement Agreement between Epistar and Lumileds in the matter of *Epistar Corporation v. Lumileds Lighting LLC*, Case No. C 03-1130 CW (N.D. Cal., transferred from C.D. Cal. March 17, 2003). This document is confidential and subject to the Protective Order entered by the administrative law judge in the ITC Investigation. A copy of that Protective Order has been submitted as Exhibit A to the Declaration of Andrew J. Wu In Support Of Philips Lumileds Lighting Company’s Motion To Stay (“Wu Declaration”), filed with this Court on January 31, 2008, with Lumileds’ motion to stay the present litigation; and

2. Exhibit G to the Declaration of Michael J. Lyons in Support of Philips Lumileds Lighting Company, LLC’s Reply in Support of Its Motion for Stay contains pertinent excerpts from what the parties have referred to as the “Epistar/Lumileds Settlement Agreement,” specifically, the Settlement Agreement between Epistar and Lumileds in the matter of *Epistar Corporation v. Lumileds Lighting LLC*, Case No. C 03-1130 CW (N.D. Cal., transferred from C.D. Cal. March 17, 2003). This document is confidential and subject to the Protective Order entered by the administrative law judge in the ITC Investigation. A copy of that Protective Order has been submitted as Exhibit A to the Declaration of Andrew J. Wu In Support Of Philips Lumileds Lighting Company’s Motion To Stay (“Wu Declaration”), filed with this Court on January 31, 2008, with Lumileds’ motion to stay the present litigation.

Lumileds will lodge the aforementioned documents in hard copy with the Court as well as lodge a redacted version of the reply. This request is supported by the following declaration.

For the foregoing reasons, Lumileds requests that the Court order the above documents sealed pursuant to the Protective Order entered by the administrative law judge in the ITC Investigation.

1 Dated: February 22, 2008

Respectfully submitted,

2 MORGAN, LEWIS & BOCKIUS LLP

3 By: /s/ Michael J. Lyons  
4 Michael J. Lyons

5 Attorneys for Defendant and  
6 Counterclaimant  
7 PHILIPS LUMILEDS LIGHTING  
8 COMPANY, LLC

9 I, Michael J. Lyons, declare as follows:

10 1. I am an attorney at the law firm of Morgan, Lewis & Bockius LLP, attorneys for  
11 Philips Lumileds Lighting Company, LLC. I am a member in good standing of the Bar of the  
12 State of California and admitted to practice in the United States District Court for the Northern  
13 District of California. I submit this declaration in support of the above Administrative Request to  
14 File Documents Under Seal Pursuant to Civil L.R. 79-5.

15 2. I have personal knowledge of each statement set forth in the Administrative  
16 Request to File Under Seal Pursuant to Civil L.R. 79-5, and each such statement is true and  
17 correct.

18  
19 I declare under penalty of perjury that the foregoing is true and correct. Executed on this  
20 the 22nd day of February 2008 in Palo Alto, California.

21 /s/ Michael J. Lyons